

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: Randy Jay Spencer,	:	Bankruptcy No. 24-10166-JCM
	:	
Debtor.	:	Chapter 13
	:	
Randy Jay Spencer,	:	
	:	Document No.: 60
Movant,	:	
	:	Related Document No.:
v.	:	
	:	
No Respondent,	:	
	:	
Respondent.	:	

**DEBTOR'S AMENDED APPLICATION TO EMPLOY SPECIAL COUNSEL NUNC  
PRO TUNC**

AND NOW comes the Debtor, by and through his undersigned counsel, Brian C. Thompson, Esquire, Thompson Law Group, P.C., and files this Amended Application for Employment of Special Counsel Nunc Pro Tunc, representing as follows:

1. Debtor filed for protection under Chapter 13 of the Bankruptcy Code on March 26, 2024.
2. Debtor has a Civil Rights case and Equity case. The Civil Rights case, *Spencer v. McSparren, et al.* regarding Cranberry Township, its Supervisors, and its Zoning Officer arising out of the violation of Debtor's civil rights. The Equity Case filed in Venango County Common Pleas. *Cranberry Township v. Spencer*, Case No. 1092-2019. Cranberry Township alleged violations of the Cranberry Township Property Maintenance Ordinance relating to the flood of July 19-20, 2019. These claims are related to claims of creditors in this bankruptcy matter.
3. At this time, Randy Jay Spencer believes that it is in his best interest to hire special counsel to handle this matter.
4. In order to deal with his Civil Rights Case and Equity Case, the services of experienced legal counsel are necessary to pursue, litigate, negotiate or otherwise bring about a final resolution in this matter.
5. Debtor respectfully requests that this Court approve the employment of Timothy D. McNair, Esquire and the McNair Law Offices, PLLC, to serve as special counsel to handle this matter.

6. Timothy D. McNair, Esquire and the McNair Law Offices, PLLC are experienced in these types of matters and they are familiar with Debtor's situation and the circumstances of his Civil Rights Case and Equity Case.
7. Debtor wishes to have Timothy D. McNair, Esquire and the McNair Law Offices, PLLC handle the Civil Rights matter, and has signed a standard fee agreement attached as Exhibit A, which was later modified to a straight contingency fee agreement with a credit for the now-expended retainer such that no fees will be paid by the Debtor unless he gets money in the civil rights case. *See* Exhibit B. Attorney McNair is experienced in Civil Rights matters and handles approximately a dozen civil rights cases per year. He has had success in those cases, including a recent \$600,000 settlement and was lead local counsel in *Bryan v. Erie County Office of Children and Youth*, which resulted in a verdict of \$8,654,769. He routinely handles employment and police misconduct cases.
8. Debtor wishes to have attorney McNair handle the Equity case defense. He is experienced in handling equity cases and has been involved in this particular case for several years. It is pending a trial in the near future.
8. Debtor believes that the assistance of special counsel is necessary and critical to the successful resolution of the Civil Rights and Equity proceedings.
9. Debtor believes that the fee arrangement is reasonable.
10. Prior to filing his bankruptcy case, Debtor owed a balance to Timothy D. McNair, Esquire and the McNair Law Offices, PLLC. The balance of fees have been waived.
11. Timothy D. McNair, Esquire and the McNair Law Offices, PLLC, has no connection with the Debtor's creditors, nor any party in interest, their respective attorneys and accountants, nor the United States Trustee, nor any person employed in the office of the United States Trustee.

WHEREFORE, Debtor respectfully requests that Timothy D. McNair, Esquire and the McNair Law Offices, PLLC be authorized to represent Debtor in the Civil Rights and Equity proceedings, under the terms indicated in this Amended Application, and such other relief as is just.

Respectfully submitted:

Executed on: August 16, 2024

/s/Brian C. Thompson  
Brian C. Thompson, Esquire  
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